

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Preparation for International)
Telecommunications Union World)
Radiocommunication Conferences)

IC Docket No. 94-31

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REPLY COMMENTS

PanAmSat Corporation ("PanAmSat"), by its attorneys, hereby files these reply comments in response to the Federal Communication Commission's ("FCC" or "Commission") Second Notice of Inquiry ("Second NOI") in the above-captioned proceeding.

PanAmSat is the operator of the world's first private global satellite system, and its wholly-owned subsidiary, PanAmSat Licensee Corp., is a current FCC licensee in the geostationary ("GSO") Fixed Satellite Service ("FSS"). As an entity whose long-term business strategy requires the availability of adequate, suitable FSS spectrum, PanAmSat is interested in the Commission's efforts to develop its position for the World Radiocommunication Conferences ("WRCs") regarding spectrum for contemplated non-geostationary ("non-GSO") Mobile Satellite Services ("MSS") systems. In particular, PanAmSat is interested in ensuring that efforts to accommodate non-GSO MSS systems do not adversely affect existing and future GSO FSS operations.

Several of the comments filed in response to the Second NOI suggested non-GSO MSS allocations that could adversely affect existing or future GSO FSS operations. In particular, some commenting parties discussed possible non-GSO MSS feeder link allocations in the 20/30 GHz band, commonly referred to as the Ka band. In addition, several of the comments urged the Commission to modify or delete RR 2613 with respect to certain bands, in order to provide greater protection to non-GSO systems *vis-a-vis* GSO systems.¹

¹ See, e.g., Comments of Motorola, Inc. at ii, 11-12 (arguing that the 19.2-19.7 and 29.0-29.5 GHz bands should be designated for use by non-GSO MSS feeder links and that RR 2613 should not apply in these bands); Comments of Constellation Communications, Inc. at 1-2, 6-7 (arguing that the 5050-5250 and 6825-7025 MHz bands should be allocated in the C-band for non-GSO MSS

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The FCC's WRC-95 Industry Advisory Committee ("IAC") and its Informal Working Groups ("IWGs") have spent a great deal of time seeking to develop consensus positions on these and other issues. In particular, IWG-4 has sought to develop an approach for accommodating non-GSO MSS feeder links without adversely affecting the needs of GSO FSS operators, and IWG-1 has sought to develop recommendations regarding coordination and sharing criteria and procedures.

The IWGs are in the process of finalizing their recommendations for submission to the full IAC. PanAmSat, therefore, will defer commenting on specific proposals for accommodating non-GSO MSS systems (and, in particular, for accommodating non-GSO MSS system feeder links) until it has had an opportunity to review the final conclusions and recommendations of the applicable IWGs, except to note that:

- PanAmSat continues to have serious concerns about the feasibility of using reverse band sharing techniques without causing harmful interference to GSO FSS operations;² and
- Because recommendations regarding the application of RR 2613 are being developed solely with respect to non-GSO MSS feeder link bands, the Commission should not support broader changes to RR 2613 at WRC-95 unless (i) such changes provide greater protection to FSS systems, or (ii) the Commission has previously sought and considered the views of FSS licensees regarding such changes.

In addition, PanAmSat reiterates that FSS licensees — whether or not they have already filed applications with the Commission to use each of the bands allocated to the Fixed-Satellite service — have reasonably relied upon the future

feeder links and that RR 2613 should not apply in these bands); Comments of Mobile Communications Holdings, Inc. at 7-8 (arguing that the 6725-7075 MHz band should be allocated for non-GSO MSS feeder links); Comments of Constellation Communications, Inc. at 6-8 (arguing that the 5050-5250 and 6825-7025 MHz bands should be allocated for non-GSO MSS feeder links and that RR 2613 should not apply in these bands); Comments of Teledesic Corporation at 2,12-16, 18-19 (arguing that up to 1,000 MHz (in each direction) of Ka-Band spectrum should be allocated for MSS feeder links and that RR 2613 should not apply in these bands).

² See Reply Comments of PanAmSat in response to First NOI.

availability of these bands in developing their long-term business plans. GSO FSS operators are not "latecomers" asking the FCC to deny non-GSO MSS operators access to the FSS bands. Rather, they are businesses with an existing spectrum allocation who are seeking to ensure that the Commission carefully weighs their existing and future needs, and scrutinizes the stated needs of non-GSO MSS applicants, before re-allocating, or changing the rules governing, FSS allocations in order to accommodate new non-GSO MSS systems.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply Comments was sent, by hand and first-class mail, postage prepaid, on this 14th day of April 1995, to the following:

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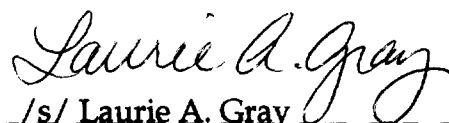
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